DOCUMENT ELECTRONICALLY FILED UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK DOC#: DATE FILED #: LUIS LLIVIGANAY, 09 Civ. 737 (LAK) Plaintiff, -against-STIPULATION AND ORDER OF DISMISSAL CIPRIANI USA INC, et. al. Defendants. : ----X

It having been reported to this Court that the above entitled action has been settled,

It is, on this 25th day of January, 2011

ORDERED that the above captioned matter be, and the same hereby is, discontinued with prejudice and without costs provided that within forty five (45) days of the date of this Order, the action may be reinstated for good cause shown.

Dated: New York, New York January 25, 2011

CONSENTED TO:

Michael Faillace and Associates, P.C. Littler Mendelson, P.C.

USDC SDNY

By: Michael Antonio Faillace, Esq. Attorney for Plaintiff

Luis Lliviganay

By: A Michael Weber, Esq. Attorney for Defendant

Cipriani USA, Inc.

Dated: New York, New York

January 2011

SO ORDERED:

Hon: Lewis A. Kaplan

United States Magistrate Judge